

FILED
MAY 11 2009
DAVID CREWS, CLERK
BY *[Signature]*
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

TRAVELERS CASUALTY and
SURETY COMPANY OF AMERICA

PLAINTIFF

VS.

CASE NO 3:08CV132

C. E. FRAZIER CONSTRUCTION COMPANY, INC

DEFENDANT

C.E. FRAZIER JR.

AUSTIN FRAZIER

FRAZIER DEVELOPMENT, LLC

M.F. PROPERITIES, L.P. and

AWF, LLC

**ANSWER OF GARNISHEE-DEFENDANT
TRUSTMARK NATIONAL BANK**

COMES NOW TRUSTMARK NATIONAL BANK, Garnishee—Defendant in the above styled and numbered cause, and answering the Garnishment-Writ served upon it, would respectfully state unto the Court the following facts, to wit:

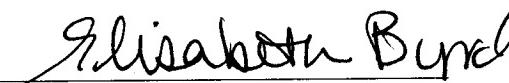
1. That it is indebted to the Defendant in the amount of, SEVEN THOUSAND, FOUR HUNDRED, EIGHTY-FOUR DOLLARS AND 22/100 CENTS (\$7484.22) and was so indebted to said Defendant at the time of service of the Writ upon it and has been so indebted to said defendant since the service of the Writ upon it.
2. That the debt admitted above is in the form of a joint account held by the defendants, MILDRED FRAZIER and EVA CHILDRESS and, by virtue of said joint account, Garnishee-Defendant has notice that MILDRED FRAZIER and EVA CHILDRESS may claim title to or may have an interest in the debt which is admitted above by the Garnishee-Defendant.

That it did not have any effects of the Defendant at the time of the service of the Writ upon it and that has not had any effects of said Defendant in its possession or under its control since the service of said Writ, other than set out above. That it does not know or believe that any other person has in his possession or under his control any effects of said Defendant.

NOW fully having answered said garnishment-Writ, Garnishee-Defendant, respectfully requests that it be dismissed with costs. Garnishee-Defendant requests further instructions from the Court as to the amount set out therein. Trustmark National Bank, Jackson, Mississippi, Garnishee, is entitled to the pay and mileage of a juror pursuant to Section 11-35-61 of the Mississippi Code of 1972, as amended, the same being \$25.00 per diem and 10 cents per mile and that accordance therewith said Garnishee will deduct \$25.00 from remittance as provided by statute.

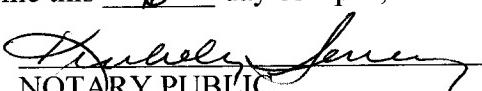
Respectfully Submitted,

TRUSTMARK NATIONAL BANK

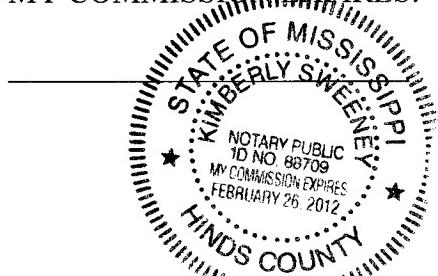
By: 
ELISABETH BYRD
ATTORNEY AND LEGAL OFFICER

TRUSTMARK NATIONAL BANK
LEGAL DEPARTMENT
P.O. BOX 291
JACKSON, MS 39205
(601) 208-5089

SWORN TO and subscribed before me this 6 day of May, 2009.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

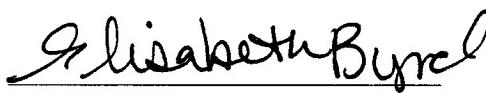


OF COUNSEL:

ELISABETH BYRD
TRUSTMARK NATIONAL BANK
LEGAL DEPARTMENT
P.O. BOX 291
JACKSON, MS 39205
(601) 208-5089

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the attached Answer to Garnishment was this day mailed postage prepaid Paul M Ellis, P.O. Box 22567, Jackson, MS 39225 this the 1st day of May, 2009.


Elisabeth Byrd
ELISABETH BYRD
Attorney and Legal Officer